

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

ANTHONY CORDOVA,

Plaintiff,

v.

KEVIN CARR, et al.,

Defendants.

ORDER

Case No. 24-cv-412-wmc

ANTHONY CORDOVA,

Plaintiff,

v.

DEPARTMENT OF CORRECTIONS, et al.,

Defendants.

ORDER

Case No. 24-cv-440-wmc

Plaintiff Anthony Cordova has submitted a certified inmate trust fund account statement in support of motions for leave to proceed without prepaying the filing fee. The court must now determine whether plaintiff qualifies for indigent status and, if so, calculate initial partial payments of the filing fees.

Even when a prisoner litigant qualifies for indigent status, the litigant must pay a portion of the filing fee pursuant to 28 U.S.C. § 1915(b)(1). Using information from plaintiff's trust fund account statement, I have calculated plaintiff's initial partial payments to be \$2.55 for each case. For these cases to proceed, plaintiff must submit this amount for each case on or before July 30, 2024.

If plaintiff does not have sufficient funds in a regular inmate account to make the initial partial payments, then plaintiff should arrange with prison officials to make the payments from

a release account. However, prison officials will draw funds first from plaintiff's regular account and any portion of the initial partial payments remaining from plaintiff's release account. *Carter v. Bennett*, 399 F. Supp. 2d 936, 937 (W.D. Wis. 2005).

ORDER

IT IS ORDERED that:

1. Plaintiff Anthony Cordova is assessed an initial partial payment of \$2.55 for case 24-cv-412-wmc and an initial partial payment of \$2.55 for case 24-cv-440-wmc. Plaintiff must submit a check or money order of \$2.55 for each case (or one check for \$5.10) payable to the clerk of court by July 30, 2024 or advise the court in writing why plaintiff is not able to make the initial partial payments.

2. If plaintiff fails to make the initial partial payments by July 30, 2024, or fails to show cause why the payments could not be made, then I will assume that plaintiff wishes to withdraw the actions voluntarily. In that event, the cases will be dismissed without prejudice to plaintiff refiling at a later date.

3. No further action will be taken in this case until the clerk's office receives the initial partial payments as directed above and the court has screened the complaints as required by the Prison Litigation Reform Act, 28 U.S.C. § 1915(e)(2). Once the screening process is complete, the court will issue a separate order.

Entered this 2nd day of July, 2024.

BY THE COURT:

/s/
ANDREW R. WISEMAN
United States Magistrate Judge